



E-Filed on 8/8/07

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC.

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC

USA CAPITAL FIRST TRUST DEED FUND, LLC

USA SECURITIES LLC

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-
10725 LBR

**Notice of Hearing; Objection of USACM Trust
To M.W. Gorts & Company Claim Filed in
Wrong Debtor's Case; Objection of FTDF to
Proposed Allowance of Claim**

Hearing Date: October 15, 2007
Hearing Time: 9:30 a.m.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

NOTICE OF OBJECTION TO CLAIM

**THE USACM LIQUIDATING TRUST AND THE OFFICIAL COMMITTEE
OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED
FUND, LLC ARE OBJECTING TO THE CLAIMS THAT YOU FILED. UNLESS
THE RESPONSE DEADLINE IS ADVANCED BY THE COURT, THE DEADLINE
TO RESPOND TO THE OBJECTION IS OCTOBER 8, 2007. PLEASE DO NOT
CONTACT THE CLERK OF THE BANKRUPTCY COURT TO DISCUSS THE
MERITS OF YOUR CLAIM. QUESTIONS REGARDING THE AMOUNT OF A
CLAIM OR THE FILING OF A CLAIM SHOULD BE DIRECTED TO BMC
GROUP AT 888-909-0100, OR WWW.BMCGROUP.COM/USACMC, or to the
undersigned counsel. Your claim may be reduced, modified, or eliminated. You
should read these papers carefully and discuss them with your attorney, if you have
one.**

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and through its counsel, has filed an Objection to your claim filed in USA Commercial Mortgage Company, Case No. 06-10725 on the ground that the claim is a debt of USA Capital First Trust Deed Fund, LLC Case No. 06-10728 (“FTDF”). The Official Committee of Equity Security Holders of FTDF (the “FTDF Committee”), by and through its counsel, further objects to any proposed allowance of your claim against the FTDF estate. A copy of the Objection is provided to you with this notice.

The Objection requests that the Court enter an order disallowing all or part of your claim as to USACM and FTDF. If the Court grants the requested relief, it will not affect your existing equity interest in the FTDF estate to the extent you hold an equity interest in FTDF.

NOTICE IS FURTHER GIVEN that, unless the hearing date is advanced by the Court, the hearing on the Objection will be held before the Honorable Linda B. Riegle,



1 United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard
2 South, Courtroom 1, Las Vegas, Nevada, on **OCTOBER 15, 2007 at the hour of**
3 **9:30 a.m.** **THE HEARING WILL BE HELD FOR THE PURPOSE OF STATUS**
4 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**
5 **ARGUMENTS WILL BE HEARD ON THAT DATE. HOWEVER, IF THERE IS**
6 **NO RESPONSE TO THE OBJECTION, THE COURT MAY GRANT THE**
7 **RELIEF REQUESTED IN THE OBJECTION AND DISALLOW THE CLAIMS**
8 **FILED AGAINST USACM AND THE FTDF.**

9 **NOTICE IS FURTHER GIVEN** that, unless the response deadline is advanced by
10 the Court, any response to the Objection must be filed by October 8, 2007 pursuant to
11 Local Rule 3007(b), which states:

12 If an objection to a claim is opposed, a written response must be filed and
13 served on the objecting party at least 5 business days before the scheduled
14 hearing. A response is deemed sufficient if it states that written
15 documentation in support of the proof of claim has already been provided to
the objecting party and that the documentation will be provided at any
evidentiary hearing or trial on the matter.

16 If you object to the relief requested, you *must* file a **WRITTEN** response to
17 this pleading with the Court. You *must* also serve your written response on
the person who sent you this notice.

18 If you do not file a written response with the Court, or if you do not serve
19 your written response on the person who sent you this notice, then:

- 20 • The Court may *refuse to allow you to speak* at the scheduled hearing;
and
- 21 • The Court may *rule against you* without formally calling the matter at
the hearing.



1
2 Dated: August 8, 2007

3 By: /s/ Eve H. Karasik
 4 FRANK A. MEROLA (CA State Bar
 No. 136934),
 5 EVE H. KARASIK (CA State Bar
 No. 155356), and
 6 CHRISTINE M. PAJAK (CA State Bar
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10 and

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 14 Telephone: (702) 471-7432
 15 COUNSEL FOR THE
 OFFICIAL COMMITTEE OF EQUITY
 16 SECURITY HOLDERS
 OF USA CAPITAL FIRST TRUST DEED
 17 FUND, LLC

18
 19 Copy of the foregoing
 20 Mailed this 8th day of
 21 August, 2007 to:

22 M.W. Gorts & Company
 23 c/o Michael Gorts
 24 7820 Emerald Harbor Ct.
 Las Vegas, NV 89128

25 By /s/ Renee L. Creswell

26 By: /s/ Rob Charles (#006593)
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